

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

Tammy M. Palacio,

Plaintiff,

-VS-

Commissioner of Social Security,

Defendant.

Case No. 3:13 CV 967

ORDER ADOPTING
REPORT AND RECOMMENDATION

JUDGE JACK ZOUHARY

This Court has reviewed the Report and Recommendation (“R&R”) of the Magistrate Judge filed July 18, 2014 (Doc. 19). Defendant indicated it will not file objections to the R&R. The R&R recommends this Court vacate the decision of the ALJ and remand Plaintiff’s case for reevaluation of the ALJ’s mental RFC (*id.* at 33). The failure to file objections within the time frame set forth in the statute constitutes a waiver of de novo review by the district court. *See United States v. Sullivan*, 431 F.3d 976, 984 (6th Cir. 2005); *Thomas v. Arn*, 474 U.S. 140, 149 (1985).

The R&R accurately states the facts and law, and this Court adopts it in its entirety. Accordingly, this Court vacates the decision of the ALJ and remands this matter for further proceedings consistent with the R&R.

IT IS SO ORDERED.

s/ Jack Zouhary
JACK ZOUHARY
U.S. DISTRICT JUDGE

July 31, 2014